



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to applicant's continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed Form PTO-1449 be considered by the Examiner and made of record in the above-identified application. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 2, 2004.

Dated: April 2, 2004

004. Dana A. Brussel
Dana A. Brussel

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

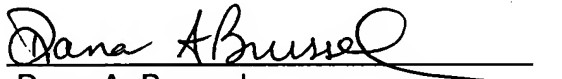
- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
 - ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
 - ☐ Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,


Dana A. Brussel
Reg. No. 45,717
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526

DAB/jjp



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) (2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		Application Number 10/730,826
	Applicant Eric R. Cosman		
	Filing Date December 8, 2003		Group Art Number TBD

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		3,777,124	12/1973	Pavkovich			
		4,319,136	3/1982	Jenkins			
		4,463,758	8/1984	Patil et al.			
		4,535,782	8/1985	Zoltan			
		4,598,368	7/1986	Umemura			
		4,617,925	10/1986	Laitinen			
		4,618,978	10/1986	Cosman			
		4,653,509	3/1987	Oloff et al.			
		4,386,602	6/1983	Sheldon et al.			
		4,722,336	2/1988	Kim et al.			
		4,760,851	8/1988	Fraser et al.			
		4,761,072	8/1988	Pryor			
		4,782,239	11/1988	Hirose et al.			
		4,797,736	1/1989	Kloots et al.			
		4,826,487	5/1989	Winter			
		4,838,265	6/1989	Cosman			
		4,845,626	7/1989	Ohhashi			
		4,859,181	8/1989	Neumeyer			
		4,869,247	9/1989	Howard, III et al.			
		4,884,566	12/1989	Mountz et al.			
		4,941,164	7/1990	Schuller et al.			

Examiner	Date Considered
Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) (2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		Application Number 10/730,826
	Applicant Eric R. Cosman		
	Filing Date December 8, 2003		Group Art Number TBD

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		4,979,222	12/1990	Weber			
		4,985,019	1/1991	Michelson			
		5,052,035	9/1991	Krupnick			
		5,056,523	10/1991	Hotchkiss, Jr. et al.			
		5,070,454	12/1991	Griffith			
		5,116,344	5/1992	Sundqvist			
		5,142,559	8/1992	Wielopolski et al.			
		5,147,372	9/1992	Nymark et al.			
		5,154,179	10/1992	Ratner			
		5,163,430	11/1992	Carol			
		5,165,410	11/1992	Warne et al.			
		5,178,146	1/1993	Giese			
		5,198,977	3/1993	Salb			
		5,222,499	6/1993	Allen et al.			
		5,230,623	7/1993	Guthrie et al.			
		5,233,990	8/1993	Barnea			
		5,247,555	9/1993	Moore et al.			
		5,257,998	11/1993	Ota et al.			
		5,260,871	11/1993	Goldberg			
		5,280,427	1/1994	Magnusson et al.			
		5,285,772	2/1994	Rattner			

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) (2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		Application Number 10/730,826
	Applicant Eric R. Cosman		
	Filing Date December 8, 2003		Group Art Number TBD

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		5,285,787	2/1994	Machida			
		5,295,483	3/1994	Nowacki et al.			
		5,307,807	5/1994	Valdès Sosa et al.			
		5,309,913	5/1994	Kormos et al.			
		5,354,314	10/1994	Hardy et al.			
		5,397,329	3/1995	Allen			
		5,398,684	3/1995	Hardy			
		5,436,542	7/1995	Petelin et al.			
		5,446,548	8/1995	Gerig et al.			
		5,526,812	6/1996	Dumoulin et al.			
		5,588,430	12/1996	Bova et al.			
		5,622,187	4/1997	Carol			
		5,682,890	11/1997	Kormos et al.			
		5,776,064	7/1998	Kalfae et al.			
		5,778,043	7/1998	Cosman			
		5,792,146	8/1998	Cosman			
		5,792,147	8/1998	Evans et al.			
		5,817,105	10/1998	Van Der Brug			
		5,836,954	11/1998	Heilbrun et al.			

Examiner	Date Considered
Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)		Application Number
	(2541 FWC 4 DIV CIP CON 3)		10/730,826
	203-2716 FWC 4 DIV CIP CON 3		
	Applicant		
	Eric R. Cosman		
	Filing Date		Group Art Number
	December 8, 2003		TBD

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	WO 88/09151 A1	12/1988	PCT				X
	WO 94/23647 A1	10/1994	PCT			X	
	WO 95/25475 A1	9/1995	PCT			X	
	WO 96/11624 A2	4/1996	PCT			X	

OTHER DOCUMENTS

		B. D. Milliken, et al., "Performance of a Video-Image-Subtraction Based Patient Positioner System," <i>Int. J. Radiation Oncology Biol. Phys.</i> , Vol. 38, pp. 855-866, 1997.
		Lavallee, S. et al., "Computer Assisted Puncture", <i>Reconnaissance Des Formes et Intelligence Artificielle</i> , 6th Congres Exposition, vol. 1, Nov. 16-20, 1987.
		Fuchs, Henry et al., "Acquisition and Modeling of Human Body Form Data," <i>SPIE</i> , vol. 166, <i>Applications of Human Biosteriometrics (NATO)</i> (1978).
		Brown, Russell A., "A Stereotactic Head Frame for Use with CT Body Scanners", <i>Investigative Radiology</i> , vol. 14, No. 4, Jul.-Aug. 1979.
		Mesqui, F. et al., "Real-Time, Noninvasive Recording and Three-Dimensional Display of the Functional Movements of an Arbitrary Mandible Point", <i>SPIE vol. 602 Biostereometrics</i> 85 (1986).

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) (2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		Application Number 10/730,826
	Applicant Eric R. Cosman		
	Filing Date December 8, 2003		Group Art Number TBD

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
		WO 97/45064 A1	12/1997	PCT			X	
		WO 97/47240 A1	12/1997	PCT				X
		0 146 699 A1	7/1985	EP				X
		0 629 963 A2	12/1994	EP			X	
		0 672 389 A2	9/1995	EP			X	
		766 581	9/1980	SU				X
		955 916	9/1982	SU				X

OTHER DOCUMENTS

		Roberts et al., "A Frameless Stereotaxic Integration of Computerized Tomography Imaging and The Operating Microscope", J. Neurosurg. 65:545-549 (1986).
		Friets, Eric M. et al. "A Frameless Stereotaxic Operating Microscope for Neurosurgery", IEEE Transactions of Biomedical Engineering, vol. 36, No. 6, Jun. 1989.
		Reinhardt, H.F. and Landolt, H., "CT-Guided "Real-Time" Stereotaxy", Acta Neurochirurgica, Suppl. 46, 107-108 (1989).
		Reinhardt, H., "Surgery of Brain Neoplasms Using 32-P Tumour Marker", Acta Neurochirurgica, 97:89-94 (1989).
		Jacques, Skiip et al., "A Computerized Microstereostatic Method to Approach, 3-Dimensionally Reconstruct, Remove and Adjuvantly Treat Small CNS Lesions", Appl. Neurophysiol. 43:176-182 (1980).

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) (2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		Application Number 10/730,826
	Applicant Eric R. Cosman		
	Filing Date December 8, 2003	Group Art Number TBD	

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
		1282623	12/1961	FR				X
		2,094,590 A	9/1982	GB			X	
		2,213,066 A	8/1989	GB			X	
		2,809,645 A1	11/1978	DE				X
		295 05 318 A1	5/1995	DE				X
		297 04 393 U1	7/1997	DE				X
		3508730 A1	9/1986	DE				X

OTHER DOCUMENTS

		Lavallee, S. et al., "Computer Assisted Interventionist Imaging: The Instance of Stereotactic Brain Surgery", <i>Medinfo</i> 89, Part 1
		Lemke, H.U. et al. (ed.), "Computer Assisted Radiology", <i>Proceedings of the International Symposium CAR '89</i> .
		Lavallee, S., "A New System for Computer Assisted Neurosurgery", <i>IEEE Advanced Topics in Biorobotics</i> , Engineering in Medicine and Biology Society 11th Annual International Conference (1989).
		Reinhardt, H.F., "Interactive Sonar-Operated Device for Stereotactic and Open Surgery", <i>Proceedings of the Xth Meeting of the World Society for Stereotactic and Functional Neurosurgery</i> , Maebashi, Japan, Oct. 1989 (1990).
		Lavallee, Stephane and Cinquin, Philippe, "Computer Assisted Medical Interventions", <i>3D Imaging in Medicine</i> , NATO ASI Series, vol. F 60 (1990).

Examiner	Date Considered
Examiner: Initial if citation considered, whether or nor citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)		Application Number
	(2541 FWC 4 DIV CIP CON 3) 203-2716 FWC 4 DIV CIP CON 3		10/730,826
	Applicant		
	Eric R. Cosman		
Filing Date		Group Art Number	
December 8, 2003		TBD	

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No

OTHER DOCUMENTS

		Mazier, B. et al., "Computer Assisted Vertebral Column Surgery: Application to the Spinal Pedicle Fixation", <i>Innov. Technol. Biol. Med.</i> , vol. 11, No. 5 (1990).
		Mazier, B. et al., "Computer Assisted Interventionist Imaging: Application to the Vertebral Column Surgery", Annual International Conference of the IEEE Engineering in Medicine and Biology Society, vol. 12, No. 1 (1990).
		Colchester, A.C.F. and D.J. Hawkes (eds), Information Processing in Medical Imaging, 12th International Conference IPMI '91, Wye, UK, Jul. 1991 Proceedings.
		"3-D Digitizer Captures the World", <i>Byte</i> , p. 43, Oct. 1990.
		Watanabe, Eiju et al. "Three-Dimensional Digitizer (Neuronavigator): New Equipment for Computed Tomography-Guided Stereotaxic Surgery", <i>Surg. Neurol.</i> , pp. 543-547, No. 27, 1987.
		Reinhardt, H. et al., "A Computer-Assisted Device for the Intraoperative CT-Correlated Localization of Brain Tumors", <i>Eur. Surg. Res.</i> , pp. 51-58, No. 20, 1988.

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	